## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

RANDEL EDWARD PAGE, JR.	)
Plaintiff,	)
v.	) Case No. 3:23-cv-00851
	) ) JUDGE CAMPBELL
UNITED STATES OF AMERICA;	) MAGISTRATE JUDGE NEWBERN
STATE OF TENNESSEE; EPIC	)
SYSTEMS CORPORATION, ET AL.;	)
CORVEL CORPORATION, ET AL.;	)
BAPTIST MEMORIAL HEALTH CARE	)
CORPORATION, ET AL.; METHODIST	)
LE BONHEUR HEALTHCARE, ET AL.;	
THE WEST CLINIC, PLLC, ET AL.,	
Defendants.	
	)

## DEFENDANT METHODIST LE BONHEUR HEALTHCARE'S RESPONSE TO PLAINTIFF'S REQUEST FOR ENTRY OF DEFAULT

Defendant Methodist Le Bonheur Healthcare ("Methodist"), in response and opposition to Plaintiff's Request for Entry of Default (ECF No. 58), states that Plaintiff's Request fails to make the requisite showing for default judgment under Fed. R. Civ. P. 55 and is legally improper and deficient in all respects.

Plaintiff's Request was filed after the Court dismissed this case in its entirety in an Order dated July 26, 2024. (ECF No. 56). Plaintiff's Request cites to no Rule of Civil Procedure which permits Plaintiff to take any action whatsoever following entry of judgment under Fed. R. Civ. P. 54 and 58, including a request for entry of default as to Methodist or any other named Defendant, nor is there any such Rule. For these reasons, and those set forth in the responses of Epic Systems

Corporation, Baptist Memorial Health Care, and The West Clinic (ECF Nos. 61, 62, 63), Plaintiff's Request is a legal nullity and should be denied and disregarded for purposes of computing the time frame for this judgment becoming a final judgment.

Respectfully submitted,

s/Buckner Wellford

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Attorneys for Defendant Methodist Le Bonheur Healthcare

## **CERTIFICATE OF SERVICE**

I hereby certify that on the 23rd day of August, 2024, a true and exact copy of the forgoing document was served on all counsel of record via the Court's electronic filing system.

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I also hereby certify that a true and exact copy of the forgoing document was served via U.S. Mail on the following individuals:

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> <u>s/Buckner Wellford</u> Buckner Wellford